

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: MARCH 27, 2015

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS: SOKOL  
CONOVER  
FRASIER  
MCDEVITT

COMMITTEE MEMBERS ABSENT:

SUPERVISOR WESTCOTT

OTHERS PRESENT:

REPRESENTING HEALTH SERVICES:

PAT AUER, DIRECTOR OF PUBLIC HEALTH/PATIENT SERVICES  
SHARON SCHALDONE, ASSISTANT DIRECTOR OF HOME CARE DIVISION  
GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH DIVISION  
TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS COORDINATOR  
TAWN DRISCOLL, FISCAL MANAGER

ROBERT YORK, DIRECTOR, OFFICE OF COMMUNITY SERVICES

REPRESENTING WESTMOUNT HEALTH FACILITY:

LLOYD COTE, ADMINISTRATOR

JOAN SADY, CLERK OF THE BOARD

FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BROCK  
SIMPSON  
SEEBER  
TAYLOR

DON LEHMAN, *THE POST STAR*

THOM RANDALL, *THE ADIRONDACK JOURNAL*

DAVID STRAINER, WARREN COUNTY RESIDENT

SARAH MCLENITHAN, SECRETARY TO THE CLERK OF THE BOARD

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Mr. Sokol called the meeting of the Health Services Committee to order at 10:19 a.m.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Pat Auer, Director of Public Health/Patient Services, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the Agenda review, Ms. Auer presented a request to renew the agreement with SHP (Strategic Health Care Programs, LLC) for agencies data services in the amount of \$8,195 and HH-CSHPS (patient satisfaction surveys) in the amount of \$1.95 per survey commencing July 1, 2015 and terminating June 30, 2016, with the option to renew automatically for successive terms unless there was a change in the fee for services or the agreement was terminated by either party with thirty days written notice, in a form approved by the County Attorney. She said their Department used to be perform the patient satisfaction surveys in-house; however, she said, because the State implemented a uniform system, they were required to have this contract in place. She noted there was a slight increase in the cost of the contract as compared to last year.

Motion was made by Mr. Conover, seconded by Mr. McDevitt and carried unanimously to approve the request as presented and the necessary resolution was authorized for the April 17, 2015 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Ms. Auer requested to fill the vacant position of Public Health Liaison, annual salary of \$30,204, pro-rated to not exceed 24 hours per week, due to retirement. She stated the salary was 100% covered by grant funding and would be eliminated should the grant funding cease.

Motion was made by Mrs. Frasier, seconded by Mr. McDevitt and carried unanimously to approve the request as presented and forward same to the Personnel Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant position form is on file with the minutes.*

Ms. Auer requested a transfer of funds between various codes totaling \$10,127.40 to cover the cost of a retirement cash out for a part-time employee.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Ms. Auer requested to Amend the 2015 County Budget to increase estimated revenues and appropriations in the amount of \$38,000 to reflect the receipt of Ebola grant funding.

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and forward same to the Finance Committee. *A copy of the Request to Amend the County Budget is on file with the minutes.*

Ms. Auer apprised there were no pending items to discuss this month. She stated Attachment #1 referred to the Emergency Response and Preparedness Activities Report, which referred to the activities taking place from January 1, 2015 to March 31, 2015. She advised the emergency preparedness drill that took place on March 12, 2015 at the Queensbury Community Center was a success. She commended Dan Durkee, Senior Health Educator, Emergency Preparedness Coordinator, on his efforts to organize and manage the drill.

Referring to the Warren County Health Services Patient Evaluation Charts, Sharon Schaldone, Assistant Director of Home Care Division, advised that she was pleased to see that they remained the preferred agency to provide home care services to the residents of Warren County.

With regards to the reporting for the rabies program, Ms. Auer commented they were continuing to work on changes with reporting and how they communicated with the Town of Queensbury. She said she was hopeful a document would be in place by next month. She stated she would keep the Committee apprised of the changes being made.

Tawn Driscoll, Fiscal Manager, advised Attachment #2 in the agenda packet was a Budget analysis of the Health Services Department as of March 23, 2015. She said year-to-date salaries reflected a decrease of \$16,359.39 or 17.72% of the salary to budget, which was a decrease from last year's percentage at the same time period of 18.81%.

Ms. Driscoll apprised Attachment #3 referred to the Revenue and Expense Comparison of 2015 versus 2014 as of today. She explained the variance in revenue was due to the accrual of the CHHA, LTC and MCH revenues in February of 2015, as they had not closed the February billing as of this time last year.

Mr. McDevitt mentioned there was an article in *The Post Star* regarding the volume of stray cats in the region. He said the article highlighted an organization from Long Island that assisted the local SPCA with housing these cats, as they did not have the ability to house such a large volume. Ms. Auer pointed out their concern from the Public Health perspective was to have assistance from the local municipalities in identifying animals that were known to bite in order to prevent individuals from having to get an unnecessary series of rabies shots. She noted stray cats were a nuisance in the region.

Ms. Auer commented the Tar Wars posters were displayed on the first floor of the Municipal Center. She encouraged the Committee members to vote on the posters.

This concluded the Health Services portion of the meeting and the Mental Health portion of the meeting commenced at 10:26 a.m.

Privilege of the floor was extended to Robert York, Director, Office of Community of Community Services, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Mr. York presented a request to Amend the 2015 County Budget to increase estimated revenues and appropriations in the amount of \$25,000 to reflect the receipt of funding from the New York State Office of Mental Health (NYS OMH) for the expansion of the Home-Based Crisis Intervention services for children, youth, and families residing in Saratoga, Warren and Washington Counties through Parsons Child and Family Center. He stated the normal annual allocation from NYS OMH would be \$100,000 for the program; however, he said, they allocated an additional \$25,000 to the program this year to assist with the initial start-up costs of the program.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and forward same to the Finance Committee. *A copy of the Request to Amend the County Budget is on file with the minutes.*

Mr. York requested to Amend the 2015 County Budget to increase estimated revenues and appropriations in the amount of \$1,009 to reflect the receipt of 2% Cost of Living Adjustment funding from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) for pass through funding for Non-Profit Agencies to the Council for Prevention. He

explained the 2% COLA increase had been included in the State Budget specifically for direct care workers that provided care for individuals with substance abuse issues.

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and forward same to the Finance Committee. *A copy of the Request to Amend the County Budget is on file with the minutes.*

Mr. York requested to Amend the 2015 County Budget to increase estimated revenues and appropriations in the amount of \$14,469 to reflect the receipt of funding from NYS OMH for the expansion of WAIT House Child Crisis Respite Services.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and forward same to the Finance Committee. *A copy of the Request to Amend the County Budget is on file with the minutes.*

Mr. York requested to Amend the agreement with the WAIT House, Inc. to reflect additional funding received from the NYS OMH in the amount of \$14,269 for a total contract in the amount of \$33,729 to provide mental health respite services for the Office of Community Services.

Motion was made by Mr. Conover, seconded by Mr. McDevitt and carried unanimously to approve the request as presented and the necessary resolution was authorized for the April 17, 2015 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. York requested a contract with Parsons Child and Family Center to provide a Tri-County Mental Health Mobile Crisis Team for children and youth in Warren, Washington and Saratoga Counties commencing January 1, 2015 and terminating December 31, 2015 in an amount not to exceed \$520,623. He noted that Warren County was serving as the fiscal agent for the program. He stated Parsons Child and Family Center was the sole respondent to the Request for Proposal (RFP). He continued, he had reviewed their submission and felt it was in line with the specifications set for the program and recommended the proposal for approval.

Mr. McDevitt asked whether other Counties had similar programs in place and Mr. York replied affirmatively. He pointed out Parsons Child and Family Center managed similar programs for Albany, Schenectady and Rensselaer Counties, as well. Mr. McDevitt questioned when the program would be fully operational and Mr. York replied he was unsure. He explained it would take some time for the appropriate staff to be on board; however, he said, he anticipated the program would move along as soon as possible.

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and the necessary resolution was authorized for the April 17, 2015 Board meeting. *A copy of the resolution request form is on file with the minutes.*

This concluded the Mental Health portion of the meeting and the Westmount Health Facility portion of the meeting commenced at 10:34 a.m.

Privilege of the floor was extended to Lloyd Coté, Administrator of Westmount Health Facility, who advised he was in attendance to discuss some matters that were brought forth at the March 9, 2015 Legislative & Rules Committee meeting. He said the two topics brought forth related to elder abuse and mandated staffing levels for nursing homes. He stated he would provide a brief synopsis on how these two matters related to nursing homes and answer any questions the Committee members may have.

In regards to staffing in nursing homes, Mr. Cote advised no mandated staffing levels were in place for nursing homes in New York State. He explained that a few years ago a case mix project was implemented to address time sensitive items. He continued, the State timed how long it took for a staff member to perform continent care, feeding, etc. on nursing home residents to establish a general figure of how long it took to perform certain types of care on individuals for the case mix. He said since he had been managing the Westmount Health Facility case mix had changed from a .87 to a 1.01. He mentioned he felt the issue was that the care provided to the residents was not being captured. He apprised proprietary companies ensured they captured all the care they provided whether it was ambulating, feeding, range of motion, etc. He commented Westmount Health Facility felt their mixed case changed from .87 to 1.01 because they were doing a better job documenting the services they provided to residents, as no additional services had been added.

Mr. Cote apprised Westmount Health Facility consisted of two forty bed units with a total bed count of 73-78. He explained the staffing for the facility consisted of the following:

Day Shift:     5 Certified Nursing Assistants for each 40 bed unit  
                  2 Licensed Practical Nurses for each 40 bed unit  
                  1 Registered Nurse Manager

Evening Shift: 5 Certified Nursing Assistants for each 40 bed unit  
                  2 Licensed Practical Nurses for each 40 bed unit  
                  Register Nurse Supervisor

Night Shift:    2 Certified Nursing Assistants for each 40 bed unit  
                  1 Licensed Practical Nurse for each 40 bed unit  
                  1 Registered Nurse Supervisor

Mr. Cote advised the aforementioned staffing levels were relevant to the particular case mix population the Westmount Health Facility served. He added if a facility was managing a sub-acute unit that provided care for short periods of time to individuals who received knee replacement surgery, etc. and required more extensive therapy additional staffing would be required. He commented he believed their facility was on target in relation to staffing needs.

He pointed out they received a four out of five star rating in relation to Registered Nursing hours.

Mr. McDevitt questioned why Kenneth Rosenberg, Chief Executive Officer of Centers for Health Care, had indicated that if they were to take over the Facility, the case mix figure would be higher than the current one of 1.01. Mr. Cote surmised this was due to Centers for Health Care having resources available to them to refine the process even further to ensure they were capturing all care that was provided. Mr. McDevitt asked why Mr. Cote felt New York State did not have mandated staffing levels for nursing homes. Mr. Cote explained that the State used to have staffing requirements and required facilities to submit their quarterly payroll records and staffing reports to them for review. He said when the State cited a facility for a deficiency that required additional staffing the facility would file a rate appeal and the State provided the funding to them to hire the additional staffing they required. He continued, when the State determined they no longer wanted to mandate staffing they developed regulations nursing homes were required to meet, which was not dependent upon a specific number of staffing. He stated the number of staffing required to meet these regulations varied from facility to facility, as it was dependent upon a number of factors.

Mr. Brock apprised that his understanding was that the case mix for Westmount Health Facility would increase to 1.2 if Centers for Health Care were to take over the facility because they had a centralized staff that would ensure more of the care provided was documented. Mr. Cote surmised that Centers for Health Care would be targeting potential residents requiring short term rehabilitation, as this would be more profitable for them. He explained that the residents requiring short term rehabilitation were covered by Medicare, which had much larger rates than Medicaid did. He added he had utilized the resources available to him to target these particular patients; however, he stated, they did not have an employee present in the hospital seeking admissions. He mentioned Centers for Health Care may centralize a wing of the facility with residents who required a higher level of care and therefore; required additional staffing.

Mr. Brock asked how Centers for Health Care would increase the case mix and Mr. Cote replied they would change the case mix by admitting residents with a higher case mix. Mr. Brock advised he was concerned that if the referendum was successful there would be a substantial amount of time before the vote would occur; therefore, he queried whether it would be possible for Mr. Cote to increase the case mix and generate additional revenue during this time frame to assist with covering the increased deficit. Mr. Cote commented although they may be able to increase the case mix slightly by admitting a resident requiring a higher level of care; he believed their current case mix was relevant to the resources available to them. He pointed out the bulk of the residents at the facility required light care. He anticipated that Centers for Health Care would be providing care that they were currently unable to do such as intravenous needles, wound bags, etc., which would increase the case mix. He added he thought there would be a substantial amount of improvements made to the facility once Centers for Health Care took over the facility, as they had the resources available to them to do upgrades such as converting to electronic medical records, etc.

Ms. Seeber clarified that her question was not specifically related to staffing needs, as she was concerned with mandated reporting for elder abuse. She said she was aware that there was a locator for National Elder Care with a toll free number. She continued, if individuals were concerned about an elderly person they could call the toll free number for assistance. She added this toll free number covered the entire United States and would provide callers with the contact information for the appropriate division within that State that would handle elder abuse claims. She noted she was concerned that unlike many other states, New York had no mandated program in place that dealt specifically with elder abuse. She mentioned the matter was referred to the Legislative and Rules Committee to discuss whether a Board resolution was required requesting that the State representatives advocate for a mandated State-wide program to be put in place. She commented her unease with the matter related to the fact that elderly and developmentally disabled were among the most debilitated and neglected members of the community. She advised she believed it made sense to have mandated reporting guidelines for elder abuse. She added she felt the additional funding and resources that would be required from the State for such a program would be justified, as it would be dedicated to a service that was very much needed.

Ms. Seeber asked Mr. Cote to provide his opinion on the matter with regards to nursing homes and whether he felt the elder would benefit from such a program. He advised that every nursing home in the State was governed by Resident Abuse, Mistreatment and Neglect Laws. He explained if a resident of the facility had unexplained bruising on their torso the facility was charged with performing a thorough investigation to determine the cause of the bruising. He said anyone who was licensed in their facility, including himself could be brought up on charges for failure to report if they were aware of something and failed to report it. He commented he was confident that the proper measures were in place for reporting in regards to incidents that occurred in nursing homes in New York State. He added there were postings throughout Westmount Health Facility that provided a hotline number to call and report any concerns they may have with the care of their family member. He continued, a representative from the NYS DOH would respond to the phone call to the hotline within 48 hours with an on-site inspection as to whether the issue reported was properly investigated. He commented he felt their facility did an exceptional job tracking Incident Accident Reports (INA's), as the staff was well trained in what to look for.

With regards to residents who have been discharged, Mr. Cote advised if there were any issues they would call Adult Protective Services. Another factor that required them to call Adult Protective Services, Mr. Cote stated, was if a resident discharged themselves early against the recommendation of the facility if the staff felt they were going home to an unsafe situation. Ms. Seeber asked whether their facility was mandated by the State to call Adult Protective Services under the aforementioned circumstances and Mr. Cote replied in the negative. She reiterated she would like to see some legislative changes in support of mandated reporting of elder abuse in the same way that the State dealt with child abuse. Mr. Cote apprised if a situation arose where they felt a resident was being physically abused by family or staff they would call local law enforcement immediately.

Ms. Seeber thanked Mr. Cote for providing her with the policies in place at Westmount and at the State level that dealt with reporting, as she found it to be very useful. She added although she was pleased to see how easily accessible the hotline was for reporting purposes she would still like to send a letter requesting the State representatives to advocate for legislation mandating elder abuse reporting. Mr. Sokol advised he would discuss the matter further with Assemblyman Stec.

Mr. Conover asked Mr. Cote how long he had worked in the nursing home industry and Mr. Cote replied 43 years. Mr. Conover acknowledged Mr. Cote for his work in managing the Westmount Health Facility and commended him on a job well done. He thanked him for extending his services to the County during this transition period, as he felt Mr. Cote provided the County with valuable input. Mr. Cote credited the employees of the facility with assisting him in managing the facility so well. He pointed out there were a number of employees who had been there prior to him coming on board and noted they provided him with a wealth of information.

Mr. Cote apprised although he had not prepared an agenda for the Committee meeting he did have a request he would like to bring forth. He requested approval for Kendra Raymond, MDS Coordinator, to attend the American Association of Nurse Assessment Coordination Annual Conference at the New Orleans Marriott in New Orleans, Louisiana from May 3-8, 2015. He estimated the cost of the conference to be about \$3,000. He added funds were available within their budget to cover the cost of the conference. He advised that Ms. Raymond managed the case mix for the facility, which assisted the facility with generating revenue. He said he felt the substantial cost of the training was justified because Ms. Raymond would be assisting the County with the audits on the facility following the sale. He added he thought the conference could assist them with refining their case mix even more.

Mr. Conover queried whether any similar conferences were offered locally and Mr. Cote replied in the negative. He explained that no such trainings were available locally that covered the scope of work this particular conference dealt with. He said the conference would be covering about thirty different topics such as ICD-10, which were diagnostic codes. He stated he felt it was more cost effective to send Ms. Raymond to this conference than to several conferences to cover all of the topics discussed there.

Mr. Cote advised reminded the Committee that Medicaid Managed Care would be effective July 1, 2015, and required contracts to be in place in order to be eligible for reimbursement of the services provided. He mentioned since it was unlikely the facility would be sold by the targeted date of May 1, 2015, it was necessary to have contracts in place prior to July 1, 2015 in order to be eligible for reimbursement of the services provided. He noted there were many issues that had been put on the back burner because of the potential sale that needed to be addressed.

Mr. Sokol apprised that since the conference was in May it was necessary for the Committee to take action on the matter today. Mrs. Frasier questioned whether Mr. Cote felt that Centers for Health Care would retain the employment of Ms. Raymond and Mr. Cote replied affirmatively.



He reiterated that he believed the County would require assistance from Ms. Raymond on audits that occurred following the sale. He pointed out that Ms. Raymond had done an exceptional job on a recent audit that was performed for Medicaid figures from 2012. Mr. McDevitt commented he believed the expense of the conference was justified, as it could assist them with improving the case mix.

Motion was made by Mrs. Frasier, seconded by Mr. McDevitt and carried unanimously to approve out-of-state travel for Kendra Raymond, MDS Coordinator, to attend the American Association of Nurse Assessment Coordination Annual Conference at the New Orleans Marriott in New Orleans, Louisiana from May 3-8, 2015 and the necessary resolution was authorized for the April 17, 2015 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Sokol asked Mr. Cote for feedback on the meeting that took place with representatives of Centers for Health Care and the staff members of the Westmount Health Facility. Mr. Cote advised he felt the meeting went very well. He said the meeting was conducted in the dining room of the facility and about 25 employees attended, with a representative from every department. He commented he believed the administrative staff members had the most concerns, as there was a possibility their positions would be absorbed within their central office and they would be laid off if Centers for Health Care acquired the facility. He pointed out the Comptroller of the facility obtained employment with the Department of Public Works because she knew her position would be eliminated. He reiterated that he felt the meeting went well, as the representatives answered all of the questions from the employees.

Ms. Seeber apprised that Assemblyman Stec informed her he believed legislation was in the process regarding mandated reporting of elder abuse and he would report back to her regarding the matter. She said if this was the case she felt the Legislative and Rules Committee should discuss the matter further, as she thought a letter of support should be sent to the State regarding this legislation.

As there was no further business to come before the Health Services Committee, on motion made by Mr. Conover and seconded by Mrs. Frasier, Mr. Sokol adjourned the meeting at 11:03 a.m.

Respectfully submitted,  
Sarah McLenithan, Secretary to the Clerk of the Board